THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.22147 of 1994

Dated:18.1.2007

Between

1.Kumari K.Induvatsala and another

.....Petitioner

and

1. AP State Electricity Board, rep., by its Secretary, Vidyuth Soudha, Hyderabad and others.

...Respondents

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W.P.No.22147 of 1994

ORDER:

This writ petition is filed seeking a Mandamus to direct the 1st and 4th respondents to deduct and pay an amount of Rs.1,000/- P.M out of the pension amount sanctioned to the 2nd respondent from the date of fixation of pension and to declare the action of the 1st, 2nd and 4th respondents in not paying the said amount as arbitrary and illegal.

It appears that the petitioners are daughters of the 2nd respondent viz., K.V.Ramanaiah. He was an employee of APSEB and retired from service. According to the petitioners, the 2nd respondent is getting a pension of Rs.2500/- P.M. They have filed M.C.No.16 of 1991 on the file of the II Additional Munsif Magistrate, Tirupati and O.S.No.266 of 1991 on the file of the Additional Sub

Judge, Tirupati for partition of movable and immovable properties of joint family and for allotment of 3/4th share thereof. When the matters were pending before the Court's concerned, they were referred to Lok Adalat and the 2nd respondent, the mother and brother of the petitioners were present and after taking consent from all of them, the matter was compromised before the Lok Adalat on 31.5.1993. As per the terms of the said compromise, the 2nd respondent is supposed to deposit an amount of Rs.1,000/- out of the pension amount in favour of the petitioners. But after passing orders on 31.5.1993, the 2nd respondent did not pay any amount. Hence, the writ petition.

There is no necessity to go into all the details. Admittedly, the matter was compromised before the Lok Adalat and the Lok Adalat passed orders on 31.5.1993. If for any reason, the 2nd respondent is not complying with the orders of compromise, it is always open for the petitioners to get the decree executed through an appropriate

Court of Law. Therefore, the writ petition is misconceived and the same is liable to be dismissed.

Writ petition is accordingly dismissed. No costs.

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18-01-2007

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